

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re Flint Water Cases.

Civil No. 17-10164
(Consolidated)

Judith E. Levy
United States District Judge

_____/

This Order Relates to:

Meeks, *et al.* v. United States,
Case No. 19-13359

JOINT PROPOSED SCHEDULING ORDER *MEEKS V. UNITED STATES*

The *Meeks* Plaintiffs and Defendant, the United States of America, hereby jointly submit the following proposed scheduling order in accordance with the directives outlined during the February 13, 2025 Status Conference before the Honorable Judge Levy:

I. PROPOSED TRIAL GROUP SELECTION PROCEDURE

Per the Court’s instructions, on February 18, 2025, the parties selected a group of four (4) Plaintiffs to be designated as the new “Discovery Group Plaintiffs.” After discovery and dispositive motions, the parties and the Court will revisit whether this group or a smaller subset of the group will be selected for trial.

II. PROPOSED SCHEDULING ORDER

The parties set forth below the schedule the Court specified during the February 13, 2025 Status Conference. Those dates with an asterisk (*) are those specified by the Court. To meet the deadlines under the Court’s expedited schedule, the parties have included additional, interim deadlines. The parties have also agreed to slightly edited interim deadlines based on logistical needs for each side. *See* 5:16-cv-10444-JEL-EAS, ECF No. 3202 at PageID.108182 (Tr. of February 13, Conference) (providing that the parties should meet on the Court’s proposed deadlines and were permitted to edit them “slightly” as needed).

<u>Event</u>	<u>Deadline/Date Range</u>
<p>Written Discovery to Plaintiffs</p> <p>No more than thirty (30) requests for production of documents and tangible things, twenty-five (25) interrogatories, and twenty-five (25) requests for admissions. These maximum numbers shall include sub-parts to any particular request. <i>See</i> Case No. 5:17-cv-10164, ECF No. 976 at PageID.69789.</p>	<p>Currently open. <i>See</i> Case No. 5:17-cv-10164, ECF No. 976 at PageID.69789.</p> <p>All discovery requests must be served reasonably in advance, and no later than thirty days before, the Fact Discovery Deadline. Case No. 5:17-cv-10164, ECF No. 976 at PageID.69791.</p>
<p>Written Discovery to Defendant</p> <p>No more than thirty (30) interrogatories, fifty (50) requests for production, and forty-five (45) requests for admission. Plaintiffs may also notice additional depositions of the United States employees. <i>See</i> Case No. 5:17-cv-10164, ECF No. 976 at PageID.69790–91.</p>	<p>Currently open. <i>See</i> Case No. 5:17-cv-10164, ECF No. 976 at PageID.69790.</p> <p>All discovery requests must be served reasonably in advance, and no later than thirty days before, the Fact Discovery Deadline. <i>See</i> Case No. 5:17-cv-10164, ECF No. 976 at PageID.69791.</p>

<u>Event</u>	<u>Deadline/Date Range</u>
United States serves updated authorization forms and Interrogatories for Plaintiffs to identify health providers and educational providers to facilitate depositions (United States 1 st Set of Interrogatories)	February 28, 2025
Parties' submissions regarding proposed Home Inspection and Neuropsychological IME protocols	March 3, 2025.
Plaintiffs provide complete responses to United States' 1 st Set of Interrogatories	March 14, 2025
Plaintiffs provide signed authorizations and record releases for those providers identified in response to the United States' 1 st Set of Interrogatories	March 14, 2025
Completion of Plaintiff Depositions	March 3, 2025 — May 10, 2025*
Completion of Defense (Non-Expert) Depositions	March 3, 2025 — May 10, 2025*
Plaintiffs' Expert Reports and Disclosures	June 2, 2025
Plaintiffs' Expert Depositions	June 2, 2025 — July 18, 2025
Defendant's Expert Reports and Complete Disclosures	July 28, 2025
Plaintiffs' Reply Expert Reports (if necessary)	August 11, 2025
Defendant's Expert Depositions	August 11, 2025 – September 11, 2025*
Close of fact discovery subject to exceptions in the Federal Rules or Court-ordered exceptions	September 11, 2025
IME and home inspections (if needed)	By close of fact discovery (September 11, 2025)

<u>Event</u>	<u>Deadline/Date Range</u>
United States' Supplemental Notice of Non-Party at Fault	September 18, 2025
<i>Daubert</i> and Summary Judgment + Subject Matter Jurisdiction Motions Opening Briefs	October 1, 2025* **The United States' combined Rule 56 and Rule 12(h)(3) motion shall not exceed 35 pages, without leave pursuant to Local Rule 7.1(d)(3)(A). See 5:16-cv-10444-JEL-EAS ECF No. 3202, PageID.108158 (adding 10 pages to Rule 7 page limit).
<i>Daubert</i> and Summary Judgment + Subject Matter Jurisdiction Response Briefs	November 17, 2025* **Plaintiffs' opposition to United States' combined Rule 56 and Rule 12(h)(3) motion shall not exceed 35 pages, without leave pursuant to Local Rule 7.1(d)(3)(A). See 5:16-cv-10444-JEL-EAS ECF No. 3202, PageID.108158 (adding 10 pages to Rule 7 page limit).
<i>Daubert</i> and Summary Judgment + Subject Matter Jurisdiction Reply Briefs	December 8, 2025 **The United States' reply to its combined Rule 56 and Rule 12(h)(3) motion shall not exceed 12 pages, without leave pursuant to Local Rule 7.1(d)(3)(B). See 5:16-cv-10444-JEL-EAS ECF No. 3202, PageID.108158 (adding 7 pages to Rule 7 page limit).
Oral Argument on <i>Daubert</i> Motions	TBD
Oral Argument on Summary Judgment + Subject Matter Jurisdiction Motions	TBD
Motions in Limine Opening Briefs	December 15, 2025* **Each party will submit one <i>omnibus</i> motion with a 20-page limit.

<u>Event</u>	<u>Deadline/Date Range</u>
Motions in Limine Response Briefs	December 22, 2025
Motions in Limine Reply	January 5, 2026
Oral Argument on Motions in Limine	TBD
Parties' findings of fact and conclusions of law	January 5, 2026*
Final Pretrial Order (including findings of fact, conclusions of law, proposed witness list)	January 5, 2026*
Final Pretrial Conference	TBD
First Day of Trial	January 26, 2026*

Dated: February 24, 2025

s/ Melanie Daly

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CERTIFICATE OF SERVICE

I hereby certify that on February 24, 2025, I emailed this communication to the clerk of Court, which included counsel of record for the United States.

LEVY KONIGSBERG, LLP

/s/ Melanie Daly
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